

## Message Text

SECRET

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43

ORIGIN ORM-01

INFO OCT-01 SS-14 ISO-00 SR-02 ARA-10 VO-01 INSE-00 L-02

SCA-01 NSC-10 NSCE-00 INR-10 CIAE-00 NSAE-00 FBIE-00

SY-02 DODE-00 SSO-00 INRE-00 /054 R

DRAFTED BY S/R:ORM:FRJAMESON:SJB

APPROVED BY S/R:LAWIESNER

S/R - MR. TURNER

S/R:ORM - MR. PAPPAS

ARA/CCA - MR. SIMON (PHONE)

ARA/LA/EP - MR. FRECHETTE (PHONE)

SCA/VO - MR. ARIAS (PHONE)

INS - MR. BROBSON

----- 043257

O 81620Z JAN 74

FM SECSTATE WASHDC

TO AMEMBASSY LIMA IMMEDIATE

S E C R E T STATE 003382

LIMDIS

E.O. 11652: XGDS

TAGS: FIGUEROA MARRERO, ELIGIO OSTAL

SUBJ: REQUEST FOR ASYLUM BY CUBAN NATIONAL

REF: LIMA 0075

1. ASYLUM IS THE PRIMARY RESPONSIBILITY OF THE STATE IN WHOSE TERRITORY THE REQUEST IS MADE, IN THIS CASE, PERU. PERU IS A SIGNATORY TO THE CONVENTION RELATING TO THE STATUS OF REFUGEES. IF THE SUBJECT QUALIFIES AS A REFUGEE, THE GOP IS REQUIRED BY THE CONVENTION NOT TO RETURN THE SUBJECT TO A COUNTRY WHERE HIS LIFE OR FREEDOM WOULD BE THREATENED ON ACCOUNT OF HIS RACE, RELIGION, NATIONALITY, MEMBERSHIP OF A PARTICULAR SOCIAL GROUP, OR POLITICAL OPINION. THE EMBASSY SHOULD INFORM FIGUEROA WHEN HE RETURNS TO THE EMBASSY THAT HE SHOULD APPROACH THE GOP

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FOR ASYLUM IF HE INTENDS TO PURSUE HIS REQUEST.

2. HOWEVER, BASED ON THE SUBJECT'S DEPARTURE FROM CUBA PRIOR TO OCT. 26, 1973, HE IS ELIGIBLE TO APPLY FOR THE EPP PAROLE PROGRAM FOR CUBAN REFUGEES AS OUTLINED IN A-9641 OF NOV. 16, 1973, SHOULD HE BE GRANTED ASYLUM BY THE PERUVIANS. SHOULD HE DECIDE TO APPLY FOR THE EPP, THE QUESTION OF HIS MEMBERSHIP IN THE UNION OF YOUNG COMMUNISTS WILL HAVE TO BE CONSIDERED. KISSINGER

SECRET

NNN

\*\*\* Current Handling Restrictions \*\*\* LIMDIS

\*\*\* Current Classification \*\*\* SECRET

## Message Attributes

**Automatic Decaptioning:** Z  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** IMMIGRATION LAW, INTERNATIONAL LAW, POLITICAL ASYLUM, REFUGEES, TREATY SIGNATORIES  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 06 JAN 1974  
**Decaption Date:** 28 MAY 2004  
**Decaption Note:** 25 YEAR REVIEW  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** cunninfx  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1974STATE003382  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** ORM:FRJAMESON:SJB  
**Enclosure:** DG ALTERED  
**Executive Order:** X1  
**Errors:** n/a  
**Film Number:** n/a  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1974/newtext/t19740169/aaaagylw.tel  
**Line Count:** 74  
**Locator:** TEXT ON-LINE  
**Office:** ORIGIN ORM  
**Original Classification:** SECRET  
**Original Handling Restrictions:** LIMDIS  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** SECRET  
**Previous Handling Restrictions:** LIMDIS  
**Reference:** LIMA 0075  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** cunninfx  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 19 SEP 2002  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <19 SEP 2002 by cunninfx>; APPROVED <15-Nov-2002 by cunninfx>  
**Review Markings:**

Declassified/Released  
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EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** <DBA CORRECTED> srp 971022  
**Subject:** REQUEST FOR ASYLUM BY CUBAN NATIONAL  
**TAGS:** PFOR, SREF, CU, PE, US, (FIGUEROA MARRERO, ELIGIO OSTAL)  
**To:** LIMA  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005